Case File: A-92-17



City of Raleigh Department of City Planning One Exchange Plaza Raleigh, NC 27601 (919) 996-2626 www.raleighnc.gov

Case File: A-92-17

Property Address: 2416 E. Lake Drive

Property Owner: Mathias and Sarah Linden

Project Contact: Michael Birch

Nature of Case: A request for a. 5.3' side yard setback variance and a 2.4' sum of side setbacks

variance pursuant to Section 2.2.1. of the Unified Development Ordinance in order to legalize the existing detached house as well as a 5.3' side yard setback variance and a 2.4' sum of side yard setbacks variance pursuant to Section 2.2.1. of the Unified Development Ordinance to allow for the construction of an addition that results in a 4.7'side yard setback and a 17.6' sum of side setbacks on a .51 acre parcel zoned Residential-2 and located at 2416 E. Lake Drive.



2416 E. Lake Drive - Location Map

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To BOA: 7-10-17

Staff Coordinator: Eric S. Hodge, AICP

ZONING

DISTRICTS: Residential-2



2416 E. Lake Drive - Zoning Map

VARIANCE STANDARDS: In accordance with UDO §10.2.10 Variance, before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

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- 2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- 3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- 4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-2

Lot Dimensions	
Area (min)	20,000 SF
Width – interior lot (min)	80
Width – corner lot (min)	80'
Depth -	100'
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Yard Type	Minimum Setback	
Primary Street	20'	
Side Street	15'	
Side	10'	
Sum of Sides	20'	
Rear	30'	

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Application for Variance





Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): See attached Exhibit A.	Transaction Number
	A-92-17
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

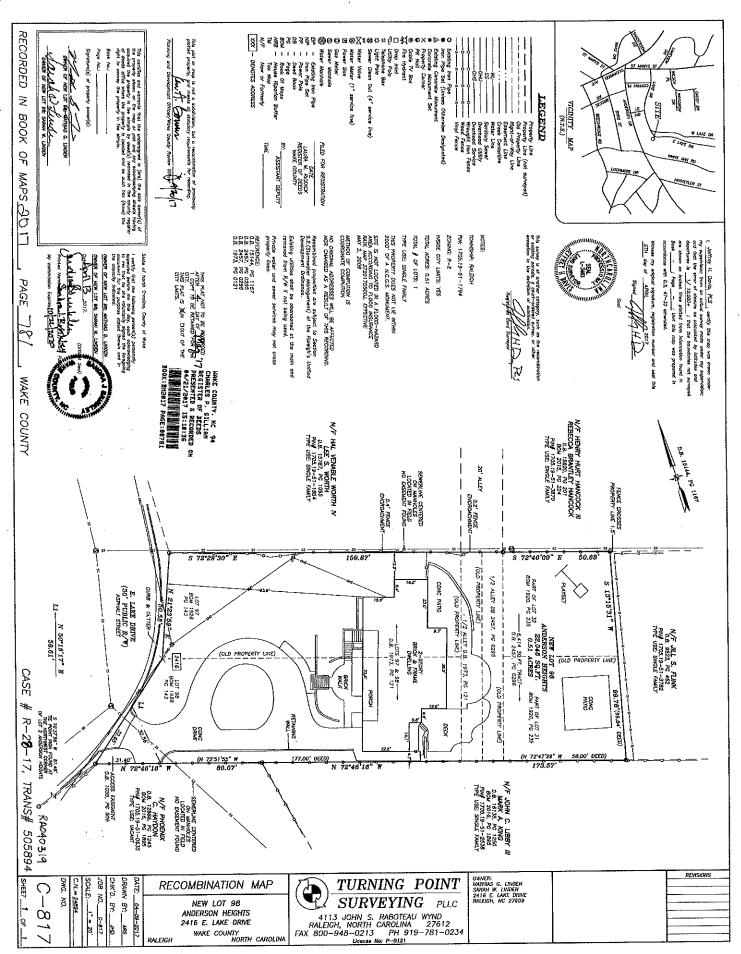
GENERAL INFORMATION				
Property Address 2416 E. Lake Drive		Date 6/9/17		
Property PIN 1705-51-1794	Current Zoning R-2			
Nearest Intersection Lake Drive and Dix Stre	eet	Property size (in acres) 0.51 acres		
Property Owner Mathias and Sarah Linden	Phone	Fax		
Owner's Mailing Address 2416 E. Lake Drive, Raleigh, NC 27609	Email			
Project Contact Person Michael Birch, Morningstar Law Group	Phone 919.590.0388	Fax		
Contact Person's Mailing Address 421 Fayetteville Street, Suite 530, Raleigh, NC 27601	Email mbirch@mornir	ngstarlawgroup.com		
Property Owner Signature	Email Mg/mdose	ganil.com		
Notary	Notary Signature and Seal			
Sworn and subscribed before me this day of	Kristen x	1. Jaest		
<u>June</u> , 20 <u>17</u>	Kristen S Ja Notary Pub Johnston Cou North Caroli My Commission Expire	lic 8 Inty 8 na 8		

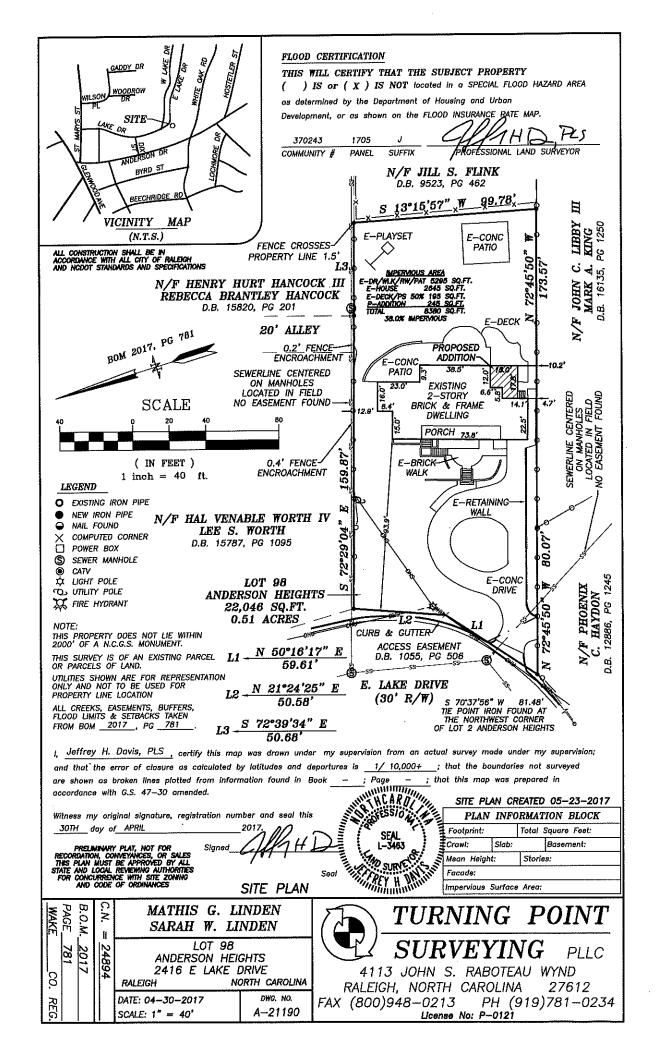
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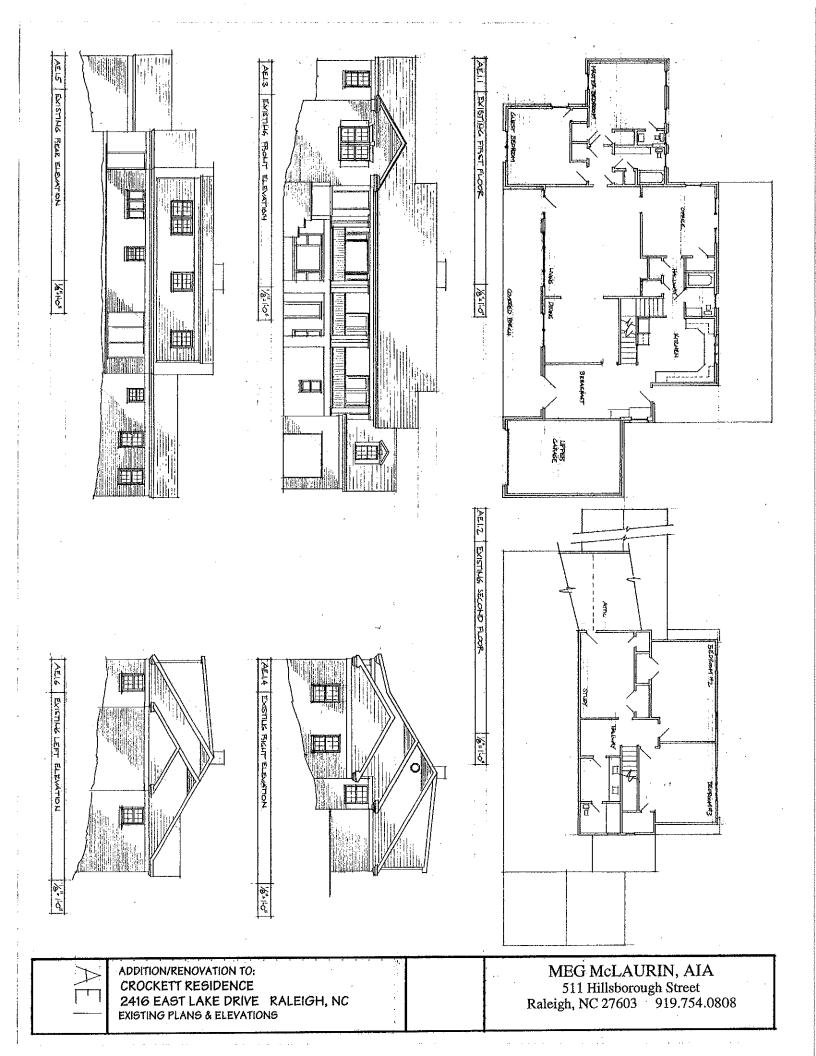
The property owners are requesting a 5.3' variance to the side yard setback and a 2.4' variance to the aggregate side yard setback for property zoned R-2 as set forth in UDO section 2.2.1.B.B3 and 2.2.1.B.B4 in order to legalize the existing structure. Additionally, the property owners are requesting a 5.3' variance to the side yard setback and a 2.4' variance to the aggregate side yard setback to permit the addition of a floor over a portion of the existing structure that is currently within the 10' side yard setback area. The proposed additional floor is located no closer to the side property line than the existing structure.

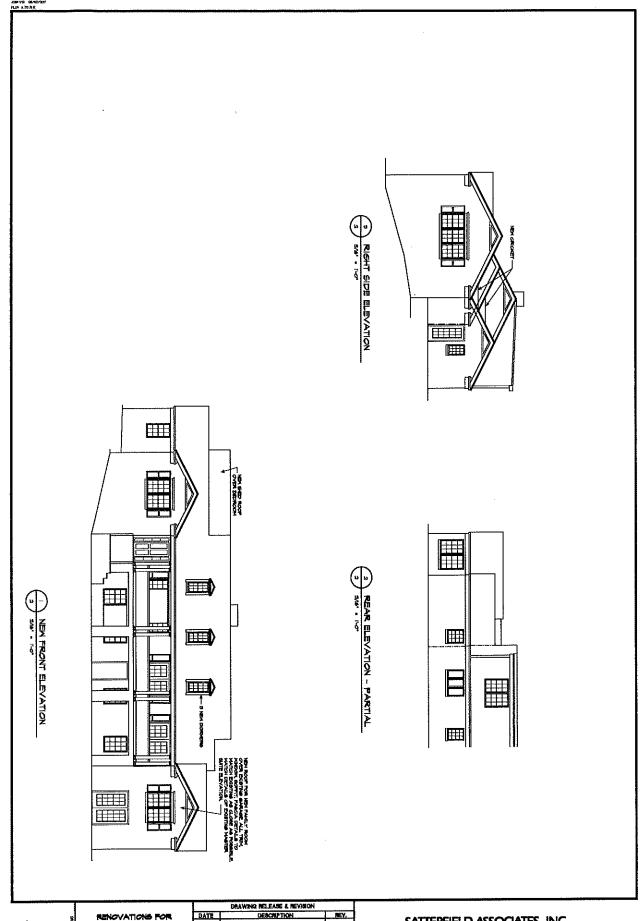
Attached to this petition are four exhibits, including a survey of existing conditions, a site plan showing the proposed addition, a set of existing elevations and a set of proposed elevations. A comparison of the existing and proposed front elevation and a comparison of the existing and proposed right elevation shows the proposed addition of a floor over that portion of the existing structure that is within the 10' side yard setback area.

For information, the property owners are proposing an addition behind the portion of the existing structure that expands the building footprint. However, this addition complies with the 10' side yard setback standard. The site plan showing the proposed addition identifies that this addition complies with the 10' side yard setback standard, and no variance is needed for this specific addition.









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RENOVATIONS FOR LINDEN RESIDENCE 2416 BAST LAKE DRIVE RALEISH, NORTH CARCLINA DATE DESCRIPTION REV.

SATTERFIELD ASSOCIATES, INC.

PIN Owner	Mail Address 1	Mail Address 2
1705418886 MCALLISTER, CRAIG L	2409 LAKE DR	RALEIGH NC 27609-7669
1705419508 BEAMAN, VIRGINIA HUDSON	2412 LAKE DR	RALEIGH NC 27609-7668
1705510590 HAYDON, PHOENIX C	2415 ANDERSON DR	2415 ANDERSON DR RALEIGH NC 27608-1405
1705510635 HAYDON, PHOENIX C	2415 ANDERSON DR	2415 ANDERSON DR RALEIGH NC 27608-1405
1705511794 LINDEN, MATHIAS G LINDEN, SARAH W	2416 E LAKE DR	RALEIGH NC 27609-7610
1705511854 WORTH, HAL VENABLE IV WORTH, LEE S	2420 E LAKE DR	RALEIGH NC 27609-7610
1705511954 WOOLDRIDGE, BRADLEY WOOLDRIDGE, HYLA D	2424 E LAKE DR	RALEIGH NC 27609-7610
1705512538 LIBBY, JOHN C. III KING, MARK A.	2419 ANDERSON DR	2419 ANDERSON DR RALEIGH NC 27608-1405
1705513690 LIBBY, JOHN C. III KING, MARK A.	2419 ANDERSON DR	2419 ANDERSON DR RALEIGH NC 27608-1405
1705513782 FLINK, JILL S	2401 WHITE OAK RD	2401 WHITE OAK RD RALEIGH NC 27609-7611
1705513870 HANCOCK, HENRY HURT III HANCOCK, REBECCA BRANTLEY 902 LAKE BOONE TRL RALEIGH NC 27607-6663	TLEY 902 LAKE BOONE TRI	. RALEIGH NC 27607-6663
1705514901 CAPEL, CHRISTOPHER B SR CAPEL, SARAH B	2405 WHITE OAK RD	2405 WHITE OAK RD RALEIGH NC 27609-7611
1705521881 RALEIGH CITY OF	PO BOX 590	RALEIGH NC 27602-0590

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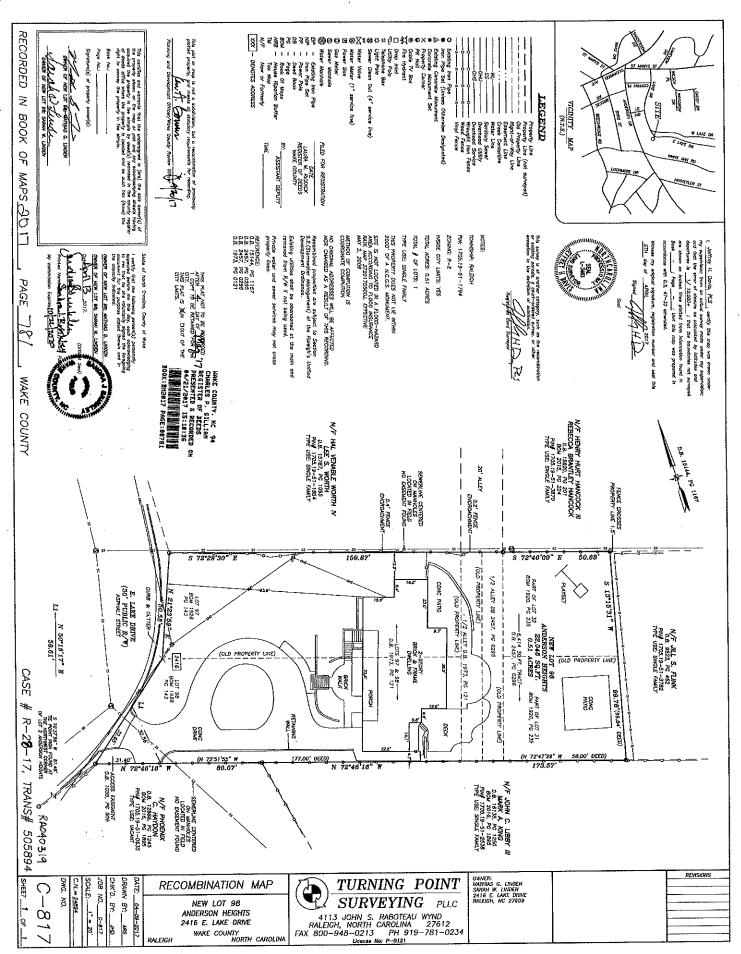
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Owner's Mailing Address 2416 E. Lake Drive, Raleigh, NC 27609	Email			
Project Contact Person Michael Birch, Morningstar Law Group	Phone 919.590.0388	Fax		
Contact Person's Mailing Address 421 Fayetteville Street, Suite 530, Raleigh, NC 27601	Email mbirch@morningstarlawgroup.com			
Property Owner Signature	Email Mg/mdose	ganil.com		
Notary	Notary Signature and Seal			
Sworn and subscribed before me this day of	Kristen x	1. Jaert		
	Kristen S Ja Notary Publ Johnston Col North Caroli My Commission Expire	lic Inty na 8		

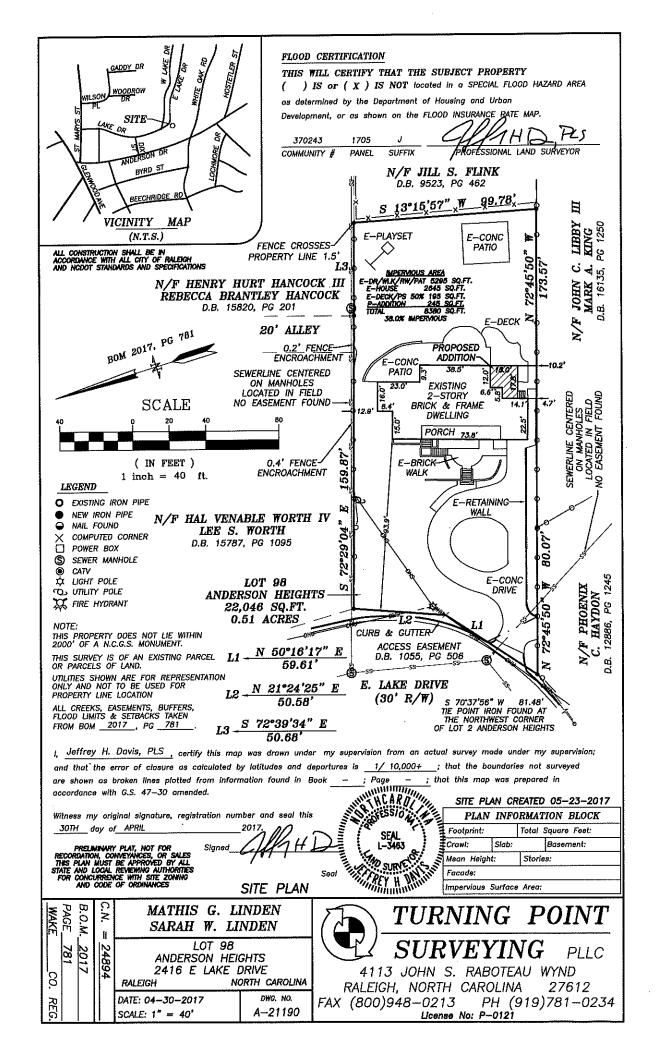
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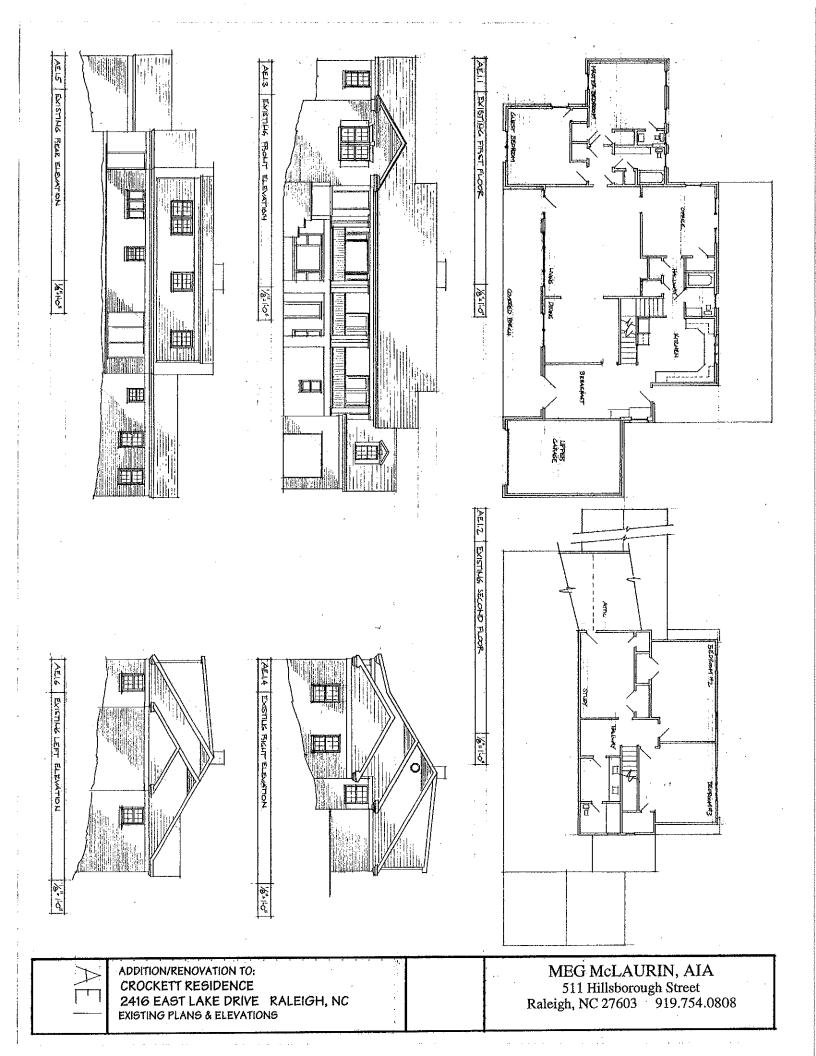
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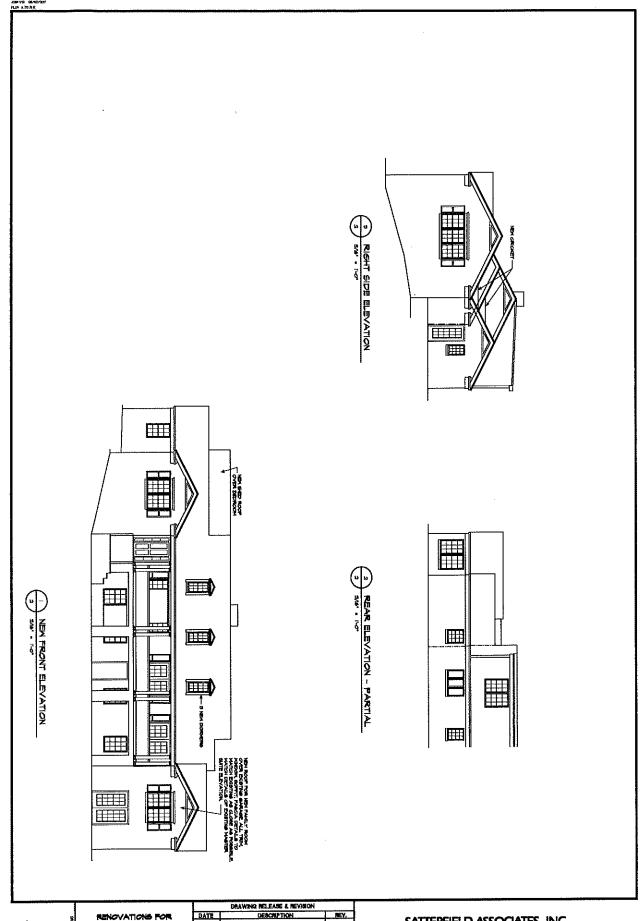
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